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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 05-693)

In re Application of:)	
)	
McEvoy, et al.)	Examiner: Wong, T. M. Seng
)	
U.S. Ser. No.: 10/547,065)	Group Art Unit: 2874
)	
Filing Date: June 1, 2006)	Confirmation no. 6140
)	
For: Optical CO ₂ and Combined O ₂ /CO ₂ Sensors)	

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON-COMPLIANT AMENDMENT

Dear Sir:

This is in response to the Notice of Non-Compliant Amendment dated September 15, 2006. A Petition of an extension of time (two months)(small entity) is attached. The Commissioner is authorized to deduct the extension fee and any fees associated with this response from Deposit Account No. 13-2490.

Attached please find replacement "Amendment to the Claims" section and "Remarks" sections for the Preliminary Amendment filed on August 25, 2005. Based on the undersigned representative recent teleconferences with Examiner Wynette Stapor, the undersigned representative learned that the Applicants' amendments made to the original claims during the international stage were never entered because they did not comply with proper claim amendment rules. Accordingly, the replacement "Amendment to the Claims" section includes the appropriate claim amendments. The Applicants submit that the response is complete.

Prompt consideration and entry of this amendment is respectfully requested. The Examiner is requested to contact the undersigned representative if the Examiner has any questions regarding this response.

Respectfully submitted,



Date: December 14, 2006

Emily Miao
Registration No. 35,285

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